



United States
Department of
Agriculture

Agricultural
Research
Service

Western Region

Suite 400
1333 Broadway
Oakland, California
94612

June 23, 1983

SUBJECT: Environmental Quality - Yakima

TO: T. B. Kinney, Jr., Administrator
ARS, Washington, D.C.

Bruce Cameron
Olympia
JUN 23 1983

Enclosed is a copy of a letter and an Order No. DE-83-305 from the Department of Ecology, State of Washington, regarding the pesticide problem at our Agricultural Research Laboratory in Yakima, Washington. You will recall that at the advice of OGC we did not sign either the Memorandum of Understanding presented to us by the Department of Ecology, State of Washington, or a slightly different Memorandum of Understanding sent to us by EPA, Region 10. We did, however, send a letter to both parties outlining the steps we were willing to take and the agreed on tests we were ready to conduct to determine if there was a pesticide problem at Yakima. In that letter we also agreed to take whatever action was necessary to resolve any problem that might be at the site. We would like an OGC opinion as to whether we are required to sign the receipt for this order. We would also like some advice as to our responsibility in complying with the order.

The order concerns us for a couple of reasons: 1) it requires us to do additional testing beyond what we feel was originally discussed and agreed upon; and 2) the order states that "the preliminary results of the soil sampling indicate that there may be migration of waste water through the treatment zone." In our discussions with Art Burditt, the preliminary tests have only been done for phosphates and they have indicated that there are no residues. Prior to being able to run the tests for the chlorinated hydrocarbons, our equipment broke down and we had to order new parts before the tests could be run. To-date we do not know whether chlorinated hydrocarbons are present in the soil samples taken, so we feel that this statement is misleading.

An early response to this request would be appreciated.

Bill
WILLIAM G. CHACE, JR.
Acting Regional Administrator

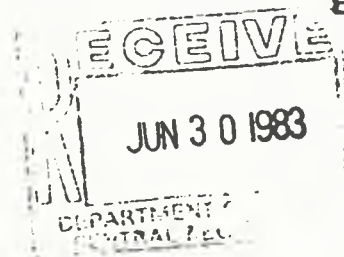
2 Enclosures

cc:
J. Victor, ARS, Washington, D.C.
C. A. Reder, ARS-WRO, Oakland
N. I. James, AD, ARS, Pullman
A. Burditt, ARS, Pullman
D. Bowhay, Dept. of Ecology, Olympia

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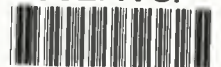
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